

12-14-00

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12/13/00  
jc912 U.S. PTO

Practitioner's Docket No. 9286/001c2

PATENT

Preliminary Classification:  
Proposed Class:  
Subclass:

JC882 U.S. PTO  
09/736475  
12/13/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Daniel B. McKenna; James M. Graziano

For (title): COMMUNIQUE SYSTEM WITH DYNAMIC BANDWIDTH ALLOCATION IN  
CELLULAR COMMUNICATION NETWORKS

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\*  
(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10\*

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Cheryl Martinez  
(type or print name of person certifying)

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"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**1. Type of Application**

This transmittal is for a continuation-in-part (C-I-P) application.

**2. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

40 Page(s) of Specification

8 Page(s) of Claims

13 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

3 Page(s) of declaration and power of attorney

1 Page(s) of abstract

**3. Declaration or Oath**

Enclosed

Executed by:

\* inventors.

**4. Language**

English

**5. Assignment**

An assignment of the invention to Vesuvius, Inc. is attached. A separate "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" is also attached.

6. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$710.00
Total Claims (37 CFR 1.16(c))	33	- 20 =	13 x	\$18.00	\$234.00
Independent Claims (37 CFR 1.16(b))	3	- 3 =	0 x	\$80.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00

Filing Fee Calculation \$944.00

7. **Small Entity Statement(s)**

This is a filing by a small entity under 37 C.F.R. Section 1.27.

Filing Fee Calculation (50% of above) \$472.00

8. **Fee Payment Being Made at This Time**

Enclosed

Filing Fee \$472.00

Recording assignment (\$40; 37 C.F.R. Section 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".) \$40.00

**Total Fees Enclosed**

**\$512.00**

**9. Method of Payment of Fees**

Check in the amount of \$512.00 is attached.

**10. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 04-1697.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

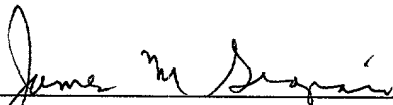
**11. Instructions as to Overpayment**

Credit Account No. 04-1697.

**12. Relate Back**

This application is a continuation-in-part of U.S. Patent Application Serial No. 09/638,774, titled "Communique System for Cellular Communication Networks", filed on 14 August 2000.

Date: 13 DECEMBER 2000

  
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Signature of Practitioner

James M. Graziano

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**Customer No.: 024283**



**24283**

PATENT TRADEMARK OFFICE

(New Application Transmittal--page 4 of 4)